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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,931	09/16/2003	Michael Curtiss	0026-0038	2735

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EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/662,931		CURTISS ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Thuy Pardo		2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/16/03; 5/17/05</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant's application filed on September 16, 2003 has been reviewed.
2. Claims 1-31 are presented for examination.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-8, 11-26 and 29-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The content of these claims is limited to abstract ideas and does not constitute a statutory process, machine, manufacture or composition of matter in which the statutory process must result in a physical transformation, thereby, it does not produce a tangible and concrete result.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Ford et al.

(Hereinafter "Ford") US Patent application No. 2005/0289140.

As to claim 1, Ford teaches the invention substantially as claimed, comprising:

receiving a list of links [a list of URLs results, 167 of fig. 1, 4; 0053];

identifying, for each of the links, a source with which the link is associated ["abc.com", "def.com", etc., 167 of fig. 1; 0062]; and

ranking the list of links based at least in part on a quality of the identified sources [score, 170 of fig. 1; 0034].

As to claim 8, it is an apparatus claim of claim 1, therefore, it is rejected under the same rationale.

As to claim 9, Ford teaches the invention substantially as claimed. Ford further teaches a memory and a processor [0026-0028; 140-147 of fig. 1].

As to claim 10, all limitations of this claim have been addressed in the analysis above, and this claim is rejected on that basis.

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As to claim 11, Ford teaches the invention substantially as claimed, comprising:

determining one or more metric values for the news source based at least in part on at least one of a number of articles produced by the news source during a first time period, an average length of an article produced by the news source, an amount of important coverage that the news source produces in a second time period, a breaking news score, an amount of network traffic to the news source, a human opinion of the news source, circulation statistics of the news source, a size of a staff associated with the news source, a number of bureaus associated with the news source, a number of original named entities in a group of articles associated with the news source, a breadth of coverage by the news source, a number of different countries from which network traffic to the news source originates, and a writing style used by the news source [weighting applied to each term of a multiple term query is inversely related to the term's frequency of appearance in the database, 0033]; and

generating a quality value for the news source based at least in part on the determined one or more metric values [170 of fig. 1; 0061].

As to claims 27-29, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

As to claim 2, Ford teaches the invention substantially as claimed. Ford further teaches identifying the source based at least in part on a uniform resource locator (URL) associated with the link [167 of fig. 1; 0062].

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As to claim 3, Ford teaches the invention substantially as claimed. Ford further teaches that at least some of the identified sources are news sources [410-430 of fig. 4].

As to claim 6, Ford teaches the invention substantially as claimed. Ford further teaches that the links include links to on-line news articles [380 of fig. 3; 0056].

As to claim 7, Ford teaches the invention substantially as claimed. Ford further teaches determining the list of links based at least in part on one or more of a search query, a topic, a list of one or more keywords, a geographical area, and a set of documents [0042].

As to claim 13, Ford teaches the invention substantially as claimed. Ford further teaches multiplying each metric value in the plurality of metric values by a factor to create a plurality of adjusted metric values, and adding the plurality of adjusted metric values to obtain the quality value [0060-0063; 0141-0143].

As to claim 14, Ford teaches the invention substantially as claimed. Ford further teaches that the plurality of metric values includes a predetermined number of highest metric values for the news source [top search results, 0048; 305 of fig. 3].

As to claim 15, Ford teaches the invention substantially as claimed. Ford further teaches normalizing each metric value in the plurality of metric values, and adding the plurality of

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normalized metric values to obtain the quality value [additional matches and related products, 350, 380 of fig. 3; 0048; 0041].

As to claim 17, Ford teaches the invention substantially as claimed. Ford further teaches adding the plurality of metric values for the news source to produce a total value, obtaining the quality value by dividing the total value by a quantity of metric values in the plurality of metric values [0157; 0162; 0164].

As to claim 18, Ford teaches the invention substantially as claimed. Ford further teaches that the plurality of metric values includes a predetermined number of highest metric values for the news source [0082; 0093].

As to claim 19, Ford teaches the invention substantially as claimed. Ford further teaches determining, for each metric value in the plurality of metric values, a percentile score relative to a highest value for that metric, adding the percentile scores to obtain the quality value [0034-0037].

As to claim 21, Ford teaches the invention substantially as claimed. Ford further teaches determining and generating for a plurality of other sources, at least one of the plurality of other sources including a different news source and storing the quality values for the news source and the plurality of other sources [0010; 0034; 167 of fig. 1].

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As to claim 23, Ford teaches the invention substantially as claimed. Ford further teaches determining an importance metric value representing the amount of important coverage that the news source produces in a second time period, and wherein the determining an importance metric includes: determining, for each article produced by the news source during the second time period, a number of other non-duplicate articles on a same subject produced by other news sources to produce an importance value for the article, and adding the importance values to obtain the importance metric value [0073; 0161-0165].

As to claim 24, Ford teaches the invention substantially as claimed. Ford further teaches identifying, for at least one article produced by the news source, a first time value at which the at least one article was published by the news source, identifying a second time value that an initial article published on a same subject as the at least one article, subtracting the second time value from the first time value to determine a difference time value, comparing the difference time value to a threshold value, and assigning a value to the breaking news metric value based at least in part on the comparing [0081-0084; fig. 5].

As to claim 25, Ford teaches the invention substantially as claimed. Ford further teaches identifying a group of articles from other news sources that are on a same subject as the at least one article, multiplying the value by a quantity proportional to a size of the group of articles from the other news sources prior to assigning the value to the breaking news metric value [0150-0153].



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As to claim 26, Ford teaches the invention substantially as claimed. Ford further teaches determining the one or more metric values, non-duplicate articles are weighted differently than duplicate articles [0153; 0160; fig. 9].

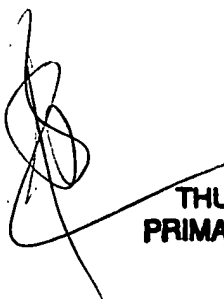
As to claims 4, 5, 12, 16, 20, 22, 30, 31, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo whose telephone number is 571-272-4082. The examiner can normally be reached on Mon-Thur.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 10, 2006



**THUY N. PARDO**  
**PRIMARY EXAMINER**